

Notice of Allowability

Application No.	Applicant(s)	
09/893,584	GANTI ET AL.	
Examiner	Art Unit	
Dohm Chankong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Applicant's amendments filed 5/28/07.
2. The allowed claim(s) is/are 37,38,47-50,52 and 53.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
 Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
 Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____



6/22/17
BUNJOB JAOENCHONWANIT
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1> An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview and facsimile communication with Victoria Donnelly on June 21, 2007.

2> The application has been amended as follows:

Claim 38 :

An apparatus for policing transfer of packets, each packet belonging to one of a plurality of traffic classes where each traffic class is allocated a respective committed information rate, said apparatus comprising:

a cascade of policers having a one-to-one correspondence to said traffic classes,
wherein

a first policer ~~for identifying~~ of said cascade of policers identifies packets of a first traffic class from among said plurality of traffic classes, which packets conform to a first committed information rate, as conforming packets; and

~~at least one successive policer~~, wherein each successive policer of said cascade of
policers:

receives a combination of arriving packets of a corresponding traffic class and conforming packets identified by all preceding policers; and

identifies conforming packets of said corresponding traffic class which packets of said corresponding traffic class together with said conforming packets identified by all preceding polices, conform to a sum of committed information rates of all preceding traffic classes and a committed information rate of said corresponding traffic class.

Claim 52:

An apparatus for policing packets of a plurality of traffic classes of a service, said traffic classes arranged in a predetermined order, said apparatus comprising:

a first policer assigned a policer service rate equal to a pre-assigned service rate of a first traffic class of said plurality of traffic classes; and

a plurality of succeeding policies each succeeding policer allocated to a corresponding traffic class and assigned a respective policer service rate determined as a sum of a pre-assigned service rate of said corresponding traffic class and a policer service rate of an immediately preceding policer, wherein:

said first policer marks packets of said first traffic class, which packets conform to said pre-assigned service rate of said first traffic class, to produce an output of said first policer comprising packets marked as conforming packets; and

wherein said each policer:

combines packets of said corresponding traffic class with packets marked as conforming packets at outputs of all preceding policies including said first policer to produce a cumulative packet flow; and

determines conformance of said cumulative packet flow to said respective policer service rate; and

marks packets of said corresponding traffic class as conforming packets, to produce an output comprising packets marked as conforming packets, according to said conformance of said cumulative packet flow.

~~marks packets of said corresponding traffic class, which packets together packets marked as conforming packets at outputs of all preceding policers including said first policer conform to said respective policer service rate, to produce an output of said each succeeding policer comprising packets marked as conforming packets.~~

3> The following is an examiner's statement of reasons for allowance: In the non-final rejection filed on January 26, 2007, the examiner indicated that there was allowable subject matter in the preamble of claims 38 and 52. Applicant amended these claims pursuant to this indication but failed to incorporate all of the limitations of the preamble. The purpose of this examiner's amendment was to incorporate these missing limitations that had been previously indicated as allowable and to clarify some limitations.

As to the reasons for allowance: the configuration of multiple policers in series whereby each policer (beside the first) receives as inputs the results (conforming packets) of every preceding policer and packets corresponding to each policer's assigned traffic class is unique (and is not recited in other claims)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC

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SUPERVISORY PATENT EXAMINER

6/22/17